



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**AUG 08 2017**

Mr. Marty Neilson, Treasurer  
Colorado Republican Committee  
5950 S. Willow Drive, Suite 302  
Greenwood Village, CO 80111

RE: AR 17-05

Dear Mr. Neilson:

The Federal Election Commission ("Commission") has ascertained information in the normal course of carrying out its supervisory responsibilities indicating that Colorado Republican Committee and you, in your official capacity as treasurer ("Committee"), may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). Following an audit conducted by the Commission pursuant to 52 U.S.C. § 30111(b), the Committee has been referred by the Audit Division to the Commission's Office of General Counsel for possible enforcement action under 52 U.S.C. § 30109.<sup>1</sup> Specifically, the Committee has been referred for misstatement of financial activity in the amount of \$803,097 in receipts and \$637,688 in disbursements over a two-year period (2011-2012), in violation of 52 U.S.C. §30104(b)(1),(2),(3),(4) and (5); non-reporting of apparent independent expenditures/failure to file 24/48-hour reports in the amount of \$694,682 and at least 51 mailers (calendar year 2012), in violation of 11 C.F.R. §§104.3(b)(3)(vii), 104.4(a) and 104.11, 11 C.F.R. §§104.4(f), 104.5 (g)(1) and 104.5(g)(2), 11 C.F.R. §§104.14(b)(1), 11 C.F.R. §§100.87 (a), (b), (c), (d), (e), and (g) and 11 C.F.R. §§100.147 (a), (b), (c), (d), (e) and (g), and failing to itemize debts and obligations in the amount of \$133,487 (calendar year 2012) in violation of 52 U.S.C. §30104(b)(8) and 11 C.F.R. §§104.3(d) and 104.11(a), 11 C.F.R. §§104.11(b), 11 C.F.R. §116.10.

The Act affords you the opportunity to demonstrate in writing that no action should be taken against Colorado Republican Committee and you in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

<sup>1</sup> Notification of this referral is being provided to you pursuant to the Commission's Agency Procedure for Notice to Respondents in Non-Complaint Generated Matters, as published in the Federal Register on August 4, 2009 (74 Fed. Reg. 38,617).

This matter will remain confidential in accordance with 52 U.S.C. §§ 30109(a)(4)(B) and 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.<sup>2</sup>

Please note that you have a legal obligation to preserve all documents, records, and materials relating to the subject matter of the referral until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519.

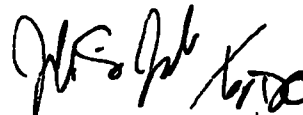
Any correspondence sent to the Commission, such as a response, must be addressed to one of the following (note, if submitting via email this Office will provide an electronic receipt by email):

Mail  
Federal Election Commission  
Office of Complaints Examination  
and Legal Administration  
Attn: Donna Rawls, Paralegal  
999 E Street, NW  
Washington, DC 20463

OR Email  
CELA@fec.gov

If you have any questions, please contact Donna Rawls at (202) 694-1650 or toll free at 1-800-424-9530. For your information, we have enclosed a brief description of the Commission's preliminary procedures for processing possible violations discovered by the Commission.

Sincerely,



Jeff S. Jordan  
Assistant General Counsel  
Complaints Examination &  
Legal Administration

<sup>2</sup> The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).